

REMARKS

In response to the Office Action of April 18, 2002, applicant respectfully requests reconsideration and allowance of the claims in their redrafted form.

By this amendment, applicant has redrafted claims 1-8 as new claims 9-16 in order to more clearly define his invention and to overcome the objections noted by the Examiner on pages 2 and 3 of the Office Action.

Applicant has also amended page 9 of the specification to correct the inadvertent error in the numerical designations of certain components to conform to those set forth in the drawing. Any inconvenience to the Examiner is regretted.

With respect to the rejection of old claims 1-3 and 5-8 under 35 U.S.C. §102(e) as it might apply to the new claims, applicant submits that possibly the language employed on page three of the specification has caused confusion as to what pertains to the prior art and what pertains to the present invention. Any inconvenience to the Examiner is sincerely regretted.

Applicant respectfully submits that the paragraph appearing on page 3, lines 11-18, is a description, not of the prior art, but of a feature of his invention. The provisions of a GPS receiver with a lap-top or portable computer that is linked to the Internet highway, is part of the present invention since the sentence beginning at line 11 states "... in accordance with the invention ..." (Emphasis added).

This is further apparent from applicant's "Summary of Invention" on page 6, wherein at lines 11, *et seq.*, an object of the invention provides a lap-top computer, linked to the Internet and having a GPS receiver. None of the cited references including the Gerace patent, discloses nor suggests this combination. This combination is also encompassed by applicant's claims. Hence, applicant

respectfully submits that the subject matter as presently claimed is not anticipated by the prior art. While certain matter in the specification might lead one to believe that it was an acknowledgment by applicant of the prior art, such is not the case as indicated above, nor was such ever intended.

In view of the fact that applicant has not acknowledged as prior art that portion of his application which the Examiner has designated as AAPA, it is submitted that the secondary reference to Gerace alone does not render the present claims obvious under 35 U.S.C. §103(a). The Gerace reference has evidently been cited for its disclosure of an e-mail address that identifies an individual. This alone does not teach or suggest the present invention. Withdrawal of the rejection is therefore respectfully requested.

Applicant further submits that one of the unique features and embodiments of the present invention is that it utilizes profile information, along with a geopositioning chip to make offers to a person who is traveling, based on the fact that one knows where his home base is, what time of day it is, and where he is presently located.

The present invention does not send information, for example, to John Doe at his home in New York with a special offer, but locates him in Florida or wherever else he is traveling, and makes a local offer to him based on his preference.

The combination of the geopositioning chip, along with preference data is a key to a new form of proactive solicitation, where a person is contacted and made an offer specifically where they are.

Applicant has reviewed the cited Katz, et al, Messner, Ogilvie, Chou, et al, Rosen, et al and Orndorff patents which have been made of record by the Examiner.

For each of the foregoing reasons, applicant submits that the claims in their amended form are in condition for allowance. Early, favorable action is therefore respectfully requested.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "William R. Moran".

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Marked-Up Version of Specification

The exact location of the individual operating the computer. In practice, the present location of the individual may be shown on the screen of the computer monitor 10M. Thus if computer [11] 10 equipped with a GPS receiver 14 is carried on board a vehicle or a ship, it then becomes a navigational aid, for one is then given with the exact geographic location of the vehicle or ship.

The exact present location of the individual and his identification are conveyed by microwave transceiver [17] 12 to a web site 15 on the Internet highway. Installed at the web site in a programmed computer 16 associated with a data bank 17. Data bank 17 has stored therein the names of millions of consumers and their respective profiles, including such personal data as bank and credit card information, spending habits, personal interests and whatever other information is collected on each individual by market research activity. The present nature of these data banks is such as to in many cases provide a dossier on each listed individual.

Programmed computer 16 scans the data bank to find and select for analysis the name of the individual 13 operating the lap-top computer. From the profile of the selected individual the computer determines in connection

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